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her as she lay exhausted on the beach; and heaping stones upon it till she was pressed to death. As even the existing laws against witchcraft were transgressed by this brutal riot, a warm attack was made upon the magistrates and ministers of the town, by those who were shocked at a tragedy of such a horrible cast. There were answers published, in which the parties assailed were zealously defended. The superior authorities were expected to take up the affair, but it so happened, during the general distraction of the country concerning the Union, that the murder went without the investigation which a crime so horrid demanded. Still, however, it was something gained that the cruelty was exposed to the public. The voice of general opinion was now appealed to, and, in the long run, the sentiments which it advocates are commonly those of good sense and humanity.

"The officers in the higher branches of the law dared now assert their official authority, and reserve for their own decision cases of supposed witchcraft which the fear of public clamour had induced them formerly to leave in the hands of the inferior judges, operated upon by all the prejudices of the country and the populace.

"In 1718, the celebrated lawyer, Robert Dundas, of Arniston, then King's advocate, wrote a severe letter of censure to the Sheriff-depute of Caithness, in the first place, as having neglected to communicate officially certain pre-cognitions which he had led respecting some recent practices of witchcraft in his county. The advocate reminded this local judge, that the duty of inferior magistrates, in such cases, was to advise with the King's Counsel, first, whether they should be made subject of a trial or not; and, if so, before what court, and in what manner, it should take place. He also called the magistrates' attention to a report, that he, the Sheriff-depute, intended to judge in the case himself: "a thing of too great difficulty to be tried without very deliberate advice, and beyond the jurisdiction of an inferior court." The Sheriff-depute sends, with his apology, the *precognition* of the affair, which is one of the most nonsensical in this nonsensical department of the law. A certain carpenter, named William Montgomery, was so infested with cats, which, as his servant-maid reported, "spoke among themselves," that he fell in rage upon a party of these animals which had assembled in his house at irregular hours, and betwixt his Highland arms of knife, dirk, and broadsword, and his professional weapon of an axe, he made such a dispersion that they were quiet for the night. In consequence of his blows, two witches were said to have died. The case of a third, named Nin-Gilbert, was still more remarkable. Her leg being broken, the injured limb withered, pined, and finally fell off; on which the hag was inclosed in prison, where she also died: and the question which remained was, whether any process should be directed against persons whom, in her compelled confession, she had, as usual, informed against. The Lord Advocate, as may be supposed, quashed all further procedure.

"In 1720, an unlucky boy, the third son of James, Lord Torphichen, took it into his head, under instructions, it is said, from a knavish governor, to play the possessed and bewitched person, laying the cause of his distress on certain old witches in Culder, near to which village his father had his mansion. The women were imprisoned, and one or two of them died; but the crown counsel would not proceed to trial. The noble family also began to see through the cheat. The boy was sent to sea, and though he is said at one time to have been disposed to try his fits while on board, when the discipline of the navy proved too severe for his cunning, in process of time he became a good sailor, assisted gallantly in defence of the vessel against the pirates of Angria, and finally was drowned in a storm.

"In the year 1722, a Sheriff-depute of Sutherland, Captain David Ross, of Littledean, took it upon him in flagrant violation of the then established rules of jurisdiction, to pronounce the last sentence of death for witchcraft which was ever passed in Scotland. The victim was an insane old woman belonging to the parish of Loth, who had so little idea of her situation as to rejoice at the sight of the fire which was destined to consume her. She had a daughter lame both of hands and feet, a circum-

stance attributed to the witch's having been used to transform her into a pony, and get her shod by the devil. It does not appear that any punishment was inflicted for this cruel abuse of the law on the person of a creature so helpless; but the son of the lame daughter, he himself distinguished by the same misfortune, was living so lately as to receive the charity of the present Marchioness of Stafford, Countess of Sutherland in her own right, to whom the poor of her extensive country are as well known as those of the higher order.

"Since this deplorable action, there has been no judicial interference in Scotland on account of witchcraft."

There is another proof, if any were required, that the inhabitants of Carrickfergus had a community of manners and customs with their neighbours across the channel, in their deeming it necessary to restrain the too common and noisy nuisance of woman-scolding, as the following extract from the town records, shows:—

"October, 1574, ordered and agreede by the hole Court, that all manner of Skolds which shal be openly detected of Skolding or evill wordes in manner of Skolding, and for the same shal be condemned before Mr. Maior and his brethren, shal be drawne at the sterne of a boate in the water from the ende of the Peare rounde about the Queenes majesties Castell in manner of ducking, and after when a cage shal be made the Party so condemned for a Skold shal be therein punished at the discretion of the Maior.' It appears that a cage was got soon after, and delinquents punished in the manner noticed; and that regular lists were kept of all scolds, and their names laid before the grand juries. The cage, or ducking stool, stood on the quay; in a deed granted to John Davy's, July 6th, 1671, is the following notice of it. 'One small plot of land or house stead, situated upon the Key, on the north-east, adjoining to the *Ducking-stool*, on said Key, now standing.' R. Y.

THE NIGHT SINGER.

TO THE EDITOR OF THE DUBLIN PENNY JOURNAL.

SIR—The complaint has now become so trite, that the natural history of Ireland has been carefully neglected both by English and Irishmen,—by the former, from ignorance of our productions, and by the latter, from having, hitherto, unfortunately wasted their minds in baneful disputes on politics and religion, instead of refreshing them in the pursuit of knowledge—that I shall advert to that topic no further than to express a hope that we have now better days at hand. Societies are springing up in our metropolis for the diffusion of various branches of natural science. Knowledge has at length taken its stand amongst us, and although at present apparently dwarfed in dimensions, I trust the mighty Power will soon, like the Indian deity, rear its form to gigantic magnitude, and asserting its empire, crush the demons of discord that have so long made us their prey.

My object, however, in writing this letter is not to indite fine similes, but—if you can spare me a corner for the purpose—to put a question, through the medium of your Journal, which I have often asked before, but to which I have never yet got a satisfactory answer:—Has the nightingale ever visited Ireland? Goldsmith, to be sure, replies in the negative; but then we know that Goldsmith's book, although we have all read it with unmixed pleasure in our younger days, is not, in every case, to be relied upon with perfect confidence; and I have not happened to meet with any other naturalist that touches on the question.

I am, at the same time, desirous to communicate a fact which I have no doubt will be interesting to many of your readers, and which, I apprehend, is not generally known: namely, that we have in this country a Night Singer, which, as far as I am conversant in the music of birds, can be equalled by the nightingale only, if it be not itself the nightingale.

I was informed, last summer, by some friends residing at RATUGAR, a well-known and beautiful out-let on the south side of this city, that they had, for many nights, heard the song of a bird, which they naturally enough concluded to be a nightingale. To this I did not, at the time, attach much weight; being rather inclined to the

opinion, that Milton's "most musical most melancholy" bird was not a visitor of ours,—and suspecting, besides, that my friends might have been deceived by some means, not improbably by the tricks of some waggish boy with a bird-call.

I have been, however, set right on this point in a manner that will not speedily be effaced from my memory. Happening to be on the *old Rathgar road* on Saturday night last, about twelve o'clock, near the spot where the picturesque ruin of the old castle stood a few years ago, I paused to gaze on the beautiful scenery. The night was one of the most lovely description. The moon, at the full, had her brilliancy softened, but in a scarcely perceptible degree, by the descending vapours which had already begun to form a fleecy cloud that seemed to sleep upon the meadows. Some trees, not very distant, but strongly in shadow, contrasted finely with the range of the Dublin mountains, which, bounding the view, lay stretched along in tender light, distinct in outline through the moon-lit rays; yet so faint, so thin, that they looked more like things of air than earth. Not a breath disturbed the perfect calm,—all nature seemed chained in silence,—when suddenly my ears were filled with a most delicious rush of musical sounds that startled me from my vision, banishing the enchantment of one sense, as it were, that I might be spell-bound by that of another! For nearly a minute I listened with surprise and delight to a continued strain of warbling, that combined the sweetness of the robin with the varied inflections of the lark, the canary, and the linnet. It commenced as before, and continued for about a quarter of an hour that I remained, permitting its exertions, sometimes for nearly half a minute, sometimes for a shorter period. At intervals during the song, another bird, at a good distance, answered it with a few short notes of rather indifferent quality. I could not ascertain how far off or where this second bird was; but the first seemed to be about forty paces from me in a thick hedge on the road side. Perhaps my endeavours to effect a more close acquaintance, frightened it away; for it became silent for a longer time than usual—I waited for some minutes expecting to hear it again, but it had fled, and I reluctantly pursued my way.

Whether this was the nightingale or not, I am unable to decide, never having heard the bird; but I am disposed to think it was not. I mentioned this circumstance to a friend who had once the good fortune to hear the nightingale's song in perfection in the vicinity of Bristol. He told me, that a few years ago, in the wood at Luggelaw, county of Wicklow, he heard, with great surprise, a night song similar to what I have here described; but did not think it was the nightingale. He speaks of the tone of the latter as exceeding in richness and fulness even the tone of the blackbird; but our Night Singer's note—although most exquisitely sweet—is of a much more slender quality of tone.

But if not the nightingale, what can it be? The *night warbler*, or *white-throated nightingale* visits England at the same time with its more celebrated namesake; but it is said to inhabit *sedgy* places, whereas the situations chosen by our Night Singer are precisely similar to that of the nightingale. Here is a question for some of our ornithologists. I hope some of them who have the inclination, and time to spare, will look into it and favor us with the result.

7th May, 1833.

C. O'H.

DANIEL THE OUTLAW.

TO THE EDITOR OF THE DUBLIN PENNY JOURNAL.

In the "Legend of the Midwife," which appeared in the 34th Number of the Dublin Penny Journal, I saw an allusion made to the "Oak-crowned cliff of Daniel the Outlaw."—It speedily re-called to my memory, the by-gone days when that cliff and its surrounding hills and streams were the scenes of my early youth; when at the "noisy mansion" of Phil Sullivan, near the bank of the silver Ariglin, I received my first ideas of chivalry and romance from the perusal of the "Seven Champions of Christendom,"—of gallant enterprise and warlike stratagem, from the "Irish Rogues and Rapparees"—and my early fostered and long-matured hatred

of tyranny, from the "Genuine History of Ireland." volumes would be now disregarded; but can the judgment atone for pleasures enjoyed in the warmth of fancy? I have been delighted to lie for hours in the Outlaw's retreat of the cliff—to regard in mood, the compartments of the rock which tradition signed to his solitary fire, his sword and gun,—to co the days when the decayed oaks of the steep cliff c umbrageous protection round the rock of his repose his shrill silver whistle roused his faithful band to the their chief: here I rehearsed all that tradition has p of his matchless prowess and "hair-breadth escapes." sketch his story.—The recollection of the time when of truth first struck my ear, still affords me a mel pleasure. Days of my youth, why have you given years which have stamped the premature wrinkle brow? But you shall ever lie in the waste of my n refreshing as the green neighbourhood of the wells r sands of the desert to the weary eye of the Afri veller.

The story of Daniel O'Keefe, surnamed the outlaw, involved in much obscurity. He was, it seems, a fellow that O'Keefe, who, when driven by the Roches from moy, obtained large possessions in these western district that having accidentally slain McDonough, the chief Duhallow, he was forced to betake himself to these m fastnesses to shun the vengeance of McDonough's jht clan. At length having associated with him a band of ing spirits, he gave proof of his millesian hatred of the invader, in bold and desperate outrages on the posses: the intruders on the native right of the Gael.—His enterprises and extraordinary escapes from the fr parties of soldiers sent in pursuit of him, and the f tion he afforded the weak and defenceless, are y theme of many an Irish song. The outlaw himself polished scholar and poet; and fragments of his vers survive among the more aged dwellers of the glens.

The common mode of depredation practised by this booter was to carry off Creaghs, or whole herds of from the enemy until a sufficient sum was sent for the lease. The deep glens surrounding his retreat in the screened the booty, taken in his predatory excursions, the closest search; but the cave of Gortmore, by the Blackwater, about fourteen miles from Kiskume, wa most usual place of resort, because its vicinity to Ma then the great thoroughfare between the north and s and its immediate proximity to the lands of the str rendered it an excellent centre of operation. Likewise, retreat could afford full security against all attacks. O side of a huge cliff that fearfully overhangs its base, g the opening of the cave; the river which has since rec from the rock, then rolled its wild waters along its ba from the water's edge a few rude steps cut in the lime rock, led into the cave, but from every other side it wholly inaccessible. The reader will form an idea of the portance of this retreat, as it could be approached only boat or by swimming; and the cave, as tradition relates, tends for many a mile beneath St. Hilary's hills.

Daniel the outlaw had a female companion to soften horrors of this dark dwelling and share his life of depreda and danger—her name was Margaret Kelly. She is sai have been extremely beautiful, and O'Keefe loved her a long and faithful affection; but the temptation of a h reward offered for his head, induced her to betray him. was she who generally procured him provisions from neighbouring town of Mallow; and she always crossed river in a boat which was kept concealed in the cave. s agreed one day with the commanding officer at Mallow betray O'Keefe into his hands. A few soldiers were stationed convenient to the landing-place on the oppa bank, and when the outlaw, on the next occasion, had a yeyed his perfidious messenger in the light skiff over the r in her way to town, the soldiers were to shoot him from th place of concealment on his return to the cave. For service she received an acknowledgement entitling her the reward on the outlaw's death or apprehension. Af concluding this horrid compact, she returned to the ca when O'Keefe, in a moment of soft dalliance, gently put hand into her bosom, and was horror stricken to find t parchment that confirmed to the beloved of his heart t price of his blood, and urged to madness at her detestal perfidy, he plunged his skoin into her bosom, and she expir with a single groan.

This celebrated freebooter was endued with great swif